

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:19-cv-00434

Melanie Dodson,

Plaintiff,

v.

Commissioner, Social Security Administration,

Defendant.

Before BARKER, *District Judge*

ORDER

On September 23, 2019, plaintiff Melanie Dodson filed this civil action pursuant to the Social Security Act, 42 U.S.C. § 205(g), for judicial review of the commissioner's denial of plaintiff's application for social security benefits. Doc. 1. The case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. Doc. 2.

On March 9, 2020, defendant filed a motion for summary judgment, or, alternatively, a motion to dismiss the cause of action as untimely. Doc. 27. On April 16, 2020, Judge Love issued a report and recommendation that the complaint be dismissed without prejudice as untimely. Doc. 28. Plaintiff's counsel was served with the report that same day via the court's CM/ECF electronic filing system. *See id.* The report informed plaintiff of her right to file written objections within 14 days and warned that failure to do so would bar her from de novo review by the district judge. *Id.* More than 14 days have passed since plaintiff received the report and recommendation and no objections have been filed.

The court finds no "clear error on the face of the record." *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Accordingly, the report and recommendation (Doc. 28) is **adopted**. Fed. R. Civ. P. 72(b)(3). Plaintiff's complaint is

dismissed without prejudice as untimely. The clerk of court is **directed** to close the case.

So ordered by the court on May 13, 2020.



J. CAMPBELL BARKER
United States District Judge